

Application No. 10/798,459Client Reference No. N0184US**REMARKS****I. Status**

Claims 22, 29, 34-35, and 41-43 have been amended, and claims 47-51 have been added. No new matter has been added as a result. Support for the amendments and new claims may be found on at least page 8, line 19 – page 10, line 18 and page 19, line 28 – page 20, line 2 as well as Figures 3 and 4 of the Applicants' patent application. Claims 1-21 have been previously canceled. Accordingly, claims 22-51 are currently pending.

II. Rejections Under 35 U.S.C. § 103

Claims 22-24, 28, 30-32, 34-35, 41-42, and 45-46 were rejected under 35 U.S.C. §103(a) as being unpatentable over Paulauskas, et al. (U.S. 6,401,033)¹ in view of Trovato (U.S. 6,183,364). Claims 25, 27, 33, 36, 38-40, and 43 were rejected under 35 U.S.C. §103(a) as being unpatentable over Paulauskas, et al. in view of Trovato and in further view of Koller, et al. ("Virtual GIS," IEEE: 1995). Claims 26 and 37 were rejected under 35 U.S.C. §103(a) as being unpatentable over Paulauskas, et al. in view of Trovato, Koller, et al., and in further view of Freedman ("Map Quests," Wired: 2/2004). Claims 29 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Paulauskas, et al. in view of Trovato and in further view of Freedman.

Claim 22 and Dependents

Claim 22 recites, *inter alia*, "wherein the second dataset is used in the computer game that depicts the real geographic locale as part of the play scenario of the computer game, the play scenario including a predetermined theme that governs game play of the computer game." None of the cited references, alone or in combination, teaches or suggests at least these features.

Paulauskas, et al. disclose a system for providing entertainment and information to passengers and a driver while driving to make the experience of traveling in an automobile more pleasant. (Paulauskas, et al., column 1, lines 55-

¹ U.S. Pat. No. 6,401,033 is assigned to the assignee of the present application. To the extent permissible by law, any remarks in this response about the '033 patent should not be construed as limiting or narrowing the scope of the claims thereof.

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58). The system disclosed uses geographic data, which is used for navigation, to provide games while driving. (Paulauskas, et al., column 5, lines 32-57). The system provides games that allow the driver to maintain focus on driving and the road while being entertained, such as a sign alphabet game or a trivia game.

Trovato discloses the use of two dimensional maps to create an electronic environment. (Trovato, column 2, lines 10-40). The electronic environment is used to control avatars that represent user personas in a virtual world. (Trovato, column 3, lines 57-58).

Neither Paulauskas, et al. nor Trovato discloses of a computer game having a "play scenario." Trovato merely discloses a virtual world to control avatars that represent user personas, such as a second-life simulation, in which a person may act out activities. There is no teaching or suggestion of a predetermined theme that governs game play, such as gaming that allows a user to play in a preset storyline. Therefore, the combination of Paulauskas and Trovato fails to disclose the "play scenario" limitation recited in claim 22.

Accordingly, claim 22 is allowable. Claims 23-33 depend, directly or indirectly, from allowable claim 22 and, therefore, are allowable for at least the same reasons.

Claim 34 and Dependents

Claim 34 recites, *inter alia*, "providing the second dataset and a geographic data tool set for developing a computer-game that depicts a real geographic locale as part of a play scenario" and "wherein the geographic data tool set is adapted to extract all data corresponding to a sub-area from the second dataset based on a location input." None of the cited references, alone or in combination, teaches or suggests at least these features.

Accordingly, claim 34 is allowable. Claim 49 depends from allowable claim 34 and, therefore, is allowable for at least the same reasons.

Claim 35 and Dependents

Claim 35 recites, *inter alia*, "providing a second set of data from the source database and a geographic data tool set to a second developer, wherein the second developer uses the second set of data and the geographic data tool set to develop

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computer games" and "wherein the geographic data tool set provides a spatial search function that retrieves data representing all road segments in a sub-area from the second set of data based on a location specific query that identifies the sub-area." None of the cited references, alone or in combination, teaches or suggests at least these features.

Accordingly, claim 35 is allowable. Claims 36-46 depend from allowable claim 35 and, therefore, are allowable for at least the same reasons.

Claim 48 and Dependents

Claim 48 recites, *inter alia*, "providing the second dataset and a geographic data tool set for developing a computer-game that depicts a real geographic locale as part of a play scenario" and "wherein the geographic data tool set is configured to request data representing road segments within a selected area from the second dataset as a function of a spatial query, the spatial query defining the selected area." None of the cited references, alone or in combination, teaches or suggests at least these features.

Accordingly, claim 48 is allowable. Claims 49-50 depend from allowable claim 48 and, therefore, are allowable for at least the same reasons.

Claim 51

Claim 51 recites features that are not taught or suggested by the cited references. Accordingly, claim 51 is allowable.

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It is respectfully asserted that all of the pending claims are patentable over the cited references, and allowance of the pending claims is earnestly solicited. If the Examiner believes that a telephone interview would be helpful in resolving any outstanding issues, the Examiner is respectfully invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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